

REMARKS

By this Amendment, claims 8, 10, 11 and 13 have been cancelled, and new claims 17-20 have been added. Accordingly, claims 15-20 are pending in the present application.

Claims 8, 10 and 11 stand rejected under 35 U.S.C. §102(b) as being anticipated by applicant's admitted prior art of Figs. 11 and 12. With the cancellation of claims 8, 10 and 11, this rejection is deemed moot.

Claims 13 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over applicant's admitted prior art of Figs. 11 and 12 in view of EP0563929 to Sekine et al. Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over applicant's admitted prior art of Figs. 11 and 12 in view of Sekine et al. and further in view of U.S. Patent No. 5,459,790 to Scofield et al. This rejection is deemed moot with respect to claim 13 due to its cancellation. Applicants respectfully traverse the rejections of claims 15 and 16.

Among the limitations of independent claim 15 which are neither disclosed nor suggested in the prior art of record is an audio system which includes:

“a virtual speaker position operation part, an adjustable position of a virtual speaker being given through the virtual speaker position operation part;”

“a sending unit for sending DSP parameter data that is prepared for each of sampling frequencies and includes data defining the adjustable position of the virtual speaker given through the virtual speaker position operation part;” and

“a memory for storing the DSP parameter data being sent from the sending unit.”

The prior art shown in Figs. 11 and 12 does not send DSP parameter data which includes data defining the adjustable position of the virtual speaker from a sending unit. This is because in the prior art apparatus of Figs. 11 and 12, the DSP parameter data is stored in

the ROM (160) and the azimuth is fixed at 120° and cannot be changed. Thus, the prior art of Figs. 11 and 12 does not use DSP parameter data sent from a sending unit and accordingly, is not capable of adjusting the position of the virtual speaker. In fact, inasmuch as the prior art of Figs. 11 and 12 teach that the virtual speaker position is fixed, it teaches away from the present invention as defined in claim 15.

Sekine et al. does not remedy any of the deficiencies of the prior art of Figs. 11 and 12. While Sekine et al. teaches that the position of the virtual speaker can be changed, it neither discloses nor suggests that DSP parameter data which includes data defining the adjustable position of the virtual speaker are sent from a sending unit.

Scofield et al. does not remedy any of the deficiencies of Sekine et al. or the prior art of Figs. 11 and 12. Nowhere within Scofield et al. is it taught, or even remotely suggested, that DSP parameter data which includes data defining the adjustable position of the virtual speaker are sent from a sending unit.

Therefore, even if one were to combine the teachings of the prior art of Figs. 11-12, Sekine et al. and Scofield et al., one would not arrive at the present invention as defined in independent claim 15. Accordingly, it is respectfully submitted that independent claim 15 patentably distinguishes over the art of record, and reconsideration and withdrawal of this rejection is respectfully requested.

Claim 16 depends directly from independent claim 15 and includes all of the limitations found therein as well as additional limitations which, in combination with the limitations of independent claim 15, are neither disclosed nor suggested in the art of record. Accordingly, claim 16 is likewise patentable.

New claims 17-20 have been added to more fully cover the scope of the present invention. Support for these claims can be found in the specification at, for example, page 13,

lines 15-19 (claim 17 and 19); page 12, line 22 through page 13, line 3 (claim 18); page 13, lines 4-14 (claim 20). Favorable consideration of new claims 17-20 is respectfully requested.

In view of the foregoing, favorable consideration of new claims 17-20, and allowance of the present application with claims 15-20 is respectfully and earnestly solicited.

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Respectfully submitted,

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